

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 06-CR-320

DAVID R. OLOFSON,

Defendant.

JOINT MOTION TO ADJOURN TRIAL AND FINAL PRETRIAL

The United States of America, by and through its attorneys, Steven M. Biskupic, United States Attorney, and Gregory J. Haanstad, Assistant United States Attorney, and David R. Olofson, by and through his attorney Brian P. Mullins, hereby submit this joint motion to adjourn the trial and the final pretrial conference in this matter. In support of this motion, the parties submit the following:

1. The trial in this matter is currently scheduled for May 21, 2007. A final pretrial conference is scheduled for May 11, 2007.
2. The defendant has been ordered released pending trial pursuant to 18 U.S.C. §§ 3142(a)(2) and 3142(c).
3. Attorney Brian P. Mullins was allowed to substitute as counsel for Olofson on March 23, 2007.
4. On April 12, 2007, Olofson filed a motion to dismiss the indictment in this matter, as well as a motion to suppress statements that he made to law enforcement officials.

5. An evidentiary hearing was initially scheduled on the latter motion for April 17, 2007. Olofson was unavailable for that hearing, and it was rescheduled for April 24, 2007.

6. On April 23, 2007, one of the governments two witnesses had a family medical emergency which will make her unavailable for the April 24 hearing.

7. Olofson's motions to dismiss and to suppress remain pending. The time between the filing of those motions and the disposition of the motions is excludable under the Speedy Trial Act. 18 U.S.C. § 3161(h)(1)(F).

8. Olofson and his attorney are exploring the possibility of retaining an expert witness for trial. The continuance sought by this motion would allow the defense to continue that inquiry and to complete additional preparation for trial.

9. A continuance is warranted under these circumstances to allow the parties adequate time to necessary to effectively represent their clients' interests. The ends of justice are therefore served by a continuance. 18 U.S.C. § 3161(h)(8)(B)(iv).

10. Further, for the reasons set forth above, the ends of justice served by granting this request to continue the trial outweigh the interests of the defendants and the public in a speedy trial.

For the reasons set forth above, and pursuant to 18 U.S.C. § 3161(h)(8)(A), the parties jointly request this Court adjourn the trial and the final pretrial currently scheduled in this matter. The parties further request that this Court find that the Speedy Trial clock is tolled under 18 U.S.C. §§ 3161(h)(1)(F) and 3161(h)(8)(B)(iv).

Dated at Milwaukee, Wisconsin this 24th day of April, 2007.

Respectfully submitted,

STEVEN M. BISKUPIC
United States Attorney

By:

s/Gregory J. Haanstad
Assistant United States Attorney
Gregory J. Haanstad: 1036125
Attorney for Plaintiff
Office of the United States Attorney
Eastern District of Wisconsin
517 East Wisconsin Avenue, Room 530
Milwaukee, Wisconsin 53202
Telephone: (414) 297-4581
Fax: (414) 297-1738
E-Mail: greg.haanstad@usdoj.gov